

AMENDED IN ASSEMBLY MARCH 19, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1431**

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**Introduced by Assembly Member Gonzalez**  
**(Coauthor: Assembly Member Quirk-Silva)**  
*(Coauthor: Senator Hueso)*

January 6, 2014

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An act to add Sections 72030 and 72030.1 to, and to add Article 4 (commencing with Section 5098) to Chapter 1 of Part 4 of Division 1 of Title 1 of, and to add Section 72030 to, the Education Code, relating to conflict of interest *the Political Reform Act of 1974.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1431, as amended, Gonzalez. School district and community college elections: *administrators*: conflict of interest.

Existing law provides for election of certain officials of school districts and community college districts.

This bill would ~~prohibit~~ *provide that* an administrator of a school district or community college district ~~from soliciting funds for the campaign or legal defense fund of an elected official of the district employing the administrator, or any candidate for an elected office of that district may participate in political management or in political campaigns, but would prohibit the administrator from knowingly soliciting, accepting, or receiving a political contribution from any person for the campaign of an elected official of the district employing the administrator, or any candidate for that office, unless the person making the contribution is a member of the same school labor organization as the administrator.~~

*The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.*

*This bill would require the Fair Political Practices Commission to enforce the provisions of the bill, thereby amending the Political Reform Act of 1974 by enhancing the duties of the commission.*

*This bill would also declare that it furthers the purposes of the act.*

Vote: ~~majority~~ $\frac{2}{3}$ . Appropriation: no. Fiscal committee: ~~no~~yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 4 (commencing with Section 5098) is added to Chapter 1 of Part 4 of Division 1 of Title 1 of the Education Code, to read:

Article 4. Conflict of Interest

5098. An administrator of a school district may ~~not, directly or indirectly, solicit funds for the campaign or legal defense fund of an elected official of the school district employing the administrator, or any candidate for an elected office of that school district participate in political management or in political campaigns, except that an administrator of a school district may not knowingly solicit, accept, or receive a political contribution from any person for the campaign of an elected official of the school district employing the administrator, or any candidate for that office, unless the person making the contribution is a member of the same school labor organization as the administrator.~~

5098.1. The Fair Political Practices Commission shall enforce this article.

SEC. 2. Section 72030 is added to the Education Code, to read:

72030. An administrator of a community college district may ~~not, directly or indirectly, solicit funds for the campaign or legal defense fund of an elected official of the community college district employing the administrator, or any candidate for an elected office of that community college district participate in political management or in political campaigns, except that an administrator of a community college district may not knowingly~~

1 *solicit, accept, or receive a political contribution from any person*  
2 *for the campaign of an elected official of the community college*  
3 *district employing the administrator, or any candidate for that*  
4 *office, unless the person making the contribution is a member of*  
5 *the same school labor organization as the administrator.*

6 *SEC. 3. Section 72030.1 is added to the Education Code, to*  
7 *read:*

8 *72030.1. The Fair Political Practices Commission shall enforce*  
9 *Section 72030.*

10 *SEC. 4. The Legislature finds and declares that this bill furthers*  
11 *the purposes of the Political Reform Act of 1974 within the meaning*  
12 *of subdivision (a) of Section 81012 of the Government Code.*

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